

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAWILLIAM GUY,  
Plaintiff,

v.

DR. SUII, et al.,  
Defendants.

Case No. 23-cv-03202 BLF (PR)

**ORDER GRANTING MOTION TO  
MODIFY CASE SCHEDULE;  
VACATING DISPOSITIVE  
MOTION DEADLINE; VACATING  
HEARING; GRANTING MOTION  
FOR EXTENSION OF TIME TO  
FILE OPPOSITION**

(Docket Nos. 27, 28)

Plaintiff, a state inmate, filed a civil rights complaint under 42 U.S.C. § 1983 against Dr. Suii, his primary care provider at Salinas Valley State Prison (“SVSP”), S. Sawyer (Chief Support Executive at SVSP), and S. Gates (Chief of Health Care Correspondence and Appeals Branch of the California Correctional Health Care Service). Dkt. No. 1. The Court found the complaint state cognizable claims and ordered service on Defendants. Dkt. No. 8. Defendants were last granted an extension of time to file a dispositive motion by May 15, 2025. Dkt. No. 26.

On April 2, 2025, Defendants filed a second motion for terminating sanctions due to Plaintiff’s repeated failure to attend his properly noticed deposition under Federal Rules of Civil Procedures 37(d) and 41(b). Dkt. No. 29. Plaintiff’s opposition to this motion is currently pending. The hearing set for June 5, 2025, on this motion is **VACATED** as no

1 hearing shall be held unless the Court so orders. *See* Dkt. No. 8 at 4.

2 Defendants also move to modify the dispositive motion deadline while their motion  
3 for terminating sanctions is pending. Dkt. No. 28. The motion is **GRANTED**. The  
4 dispositive motion deadline is **VACATED**. The Court will reset the deadline for  
5 Defendants to file a dispositive motion if this matter survives Defendants' motion for  
6 terminating sanctions.

7 Plaintiff filed a motion for a 3-day extension of time to the usual opposition or reply  
8 deadline based on his *pro se* status, being a non-ECF user, and challenges due to  
9 recovering from knee replacement surgery. Dkt No. 27. Good cause appearing, the  
10 motion is **GRANTED**. Plaintiff's opposition to Defendants' motion for terminating  
11 sanctions shall be filed **no later than May 7, 2025**. Defendants shall file a reply brief no  
12 later than **fourteen (14) days** after Plaintiff's opposition is filed.

13 This order terminates Docket Nos. 27 and 28.

14 **IT IS SO ORDERED.**

15 **Dated: \_April 3, 2025\_**

16   
17 **BETH LABSON FREEMAN**  
18 **United States District Judge**